

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**UNITED STATES POSTAL SERVICE**

**and**

**Cases 10-CA-216615  
10-CA-221787**

**NATIONAL POSTAL MAIL HANDLERS UNION,  
AFL-CIO, LOCAL 334**

**and**

**10-CA-220095**

**NATIONAL ASSOCIATION OF LETTER CARRIERS,  
AFL-CIO, BRANCH 1569**

**and**

**10-CA-222170**

**NATIONAL ASSOCIATION OF LETTER CARRIERS,  
AFL-CIO, BRANCH 628**

**and**

**10-CA-223395**

**AMERICAN POSTAL WORKERS UNION,  
AFL-CIO, LOCAL 566**

**and**

**Cases 10-CA-226604  
10-CA-229914  
10-CA-229598  
10-CA-231320  
10-CA-232135**

**AMERICAN POSTAL WORKERS UNION, AFL-CIO,  
LOCAL 807**

**and**

**Cases 10-CA-228039**

**NATIONAL ASSOCIATION OF LETTER CARRIERS,  
AFL-CIO, BRANCH 3902**

**and**

**Cases 10-CA-229346  
10-CA-241993**

**AMERICAN POSTAL WORKERS UNION, AFL-CIO,  
LOCAL 7076**

## DECISION AND ORDER

### Statement of the Cases

On July 29, 2019, the United States Postal Service (the Respondent), National Postal Mail Handlers Union, AFL-CIO, Local 334 (Mail Handlers Local 334), National Association of Letter Carriers, AFL-CIO, Branch 628 (Letter Carriers Branch 628), National Association of Letter Carriers, AFL-CIO, Branch 1569 (Letter Carriers Branch 1569), National Association of Letter Carriers, AFL-CIO, Branch 3902 (Letter Carriers Branch 3902), American Postal Workers Union, AFL-CIO, Local 566 (Postal Workers Local 566), American Postal Workers Union, AFL-CIO, Local 807 (Postal Workers Local 807), and American Postal Workers Union, AFL-CIO, Local 7076 (Postal Workers Local 7076), (collectively, the Local Unions), and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, subject to Board approval, providing for the entry of a consent order by the Board and a consent judgment by any appropriate United States Court of Appeals. The Respondent waived all further and other proceedings before the Board to which it may be entitled under the National Labor Relations Act (the Act) and the Board's Rules and Regulations, and the Respondent waived its right to contest the entry of a consent judgment or to receive further notice of the application therefor.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.<sup>1</sup>

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for the entry of a Decision and Order pursuant to the provisions of the Formal Settlement Stipulation.<sup>2</sup>

---

<sup>1</sup> Chairman Ring is recused and took no part in the consideration of this case.

<sup>2</sup> We note that the remedy to which the parties have agreed differs in some respects from previous broad orders that the Board has issued against the Respondent in cases alleging that the Respondent has violated Sec. 8(a)(5) of the Act by failing and refusing to provide relevant information. See, e.g., *United States Postal Service*, 345 NLRB 426 (2005), enfd. 486 F.3d 683 (10th Cir. 2007); *United States Postal Service*, 28-CA-017383 et al., unpublished order issued November 4, 2002, enfd. Case 02-9587 (10th Cir. 2003). These broad orders, as enforced by the United States Courts of Appeals, remain in effect, and the Board's approval of this stipulation does not modify these orders in any respect.

Member Emanuel would not approve the parts of the Order that require the Respondent to take action with respect to "any other . . . union with which the Respondent has an exclusive collective-bargaining relationship at these facilities," because no violations against other unions are alleged as part of this case.

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following

### **Findings of Fact**

#### **1. The Respondent's business**

The Respondent provides postal services for the United States and operates various facilities throughout the United States in performing that function, including its facilities listed below. The Board has jurisdiction over the Respondent and this matter by virtue of Section 1209 of the Postal Reorganization Act, 39 U.S.C. § 101 et seq.

| <b>Station Name</b>                           | <b>Street Address</b>    | <b>City/Town</b>   |
|---|--------------------------|--------------------|
| Aiken Main Post Office                        | 307 Laurens St. NW       | Aiken              |
| Greenville Processing and Distribution Center | 204 Fairforest Way       | Greenville         |
| Hilton Head Island Main Post Office           | 10 Bow Cir.              | Hilton Head        |
| Fairfield Station                             | 213 William Hilton Pkwy. | Hilton Head Island |
| Irmo Main Post Office                         | 7821 Saint Andrews Rd.   | Irmo               |
| Lexington Main Post Office                    | 1830 S. Lake Dr.         | Lexington          |
| Downtown Lexington Station                    | 710 W Main St.           | Lexington          |
| Cross Country Station                         | 7075 Cross County Rd.    | North Charleston   |
| Westside Branch                               | 520 W. Blackstock Rd.    | Spartanburg        |
| St. Matthews Main Post Office                 | 616 F R Huff Dr.         | St. Matthews       |
| Summerville Main Post Office                  | 301 N. Gum St.           | Summerville        |
| Columbia Processing and Distribution Center   | 2001 Dixiana Rd.         | West Columbia      |

#### **2. The labor organizations involved**

At all material times, the Local Unions have been labor organizations within the meaning of Section 2(5) of the Act.

At all material times, National Postal Mail Handlers Union, AFL-CIO (Mail Handlers National Union), National Association of Letter Carriers, AFL-CIO (Letter Carriers National Union) and American Postal Workers Union, AFL-CIO (Postal Workers National Union) (collectively, the National Unions) have been labor organizations within the meaning of Section 2(5) of the Act.

## ORDER

Based on the above findings of fact, the Formal Settlement Stipulation, and the entire record, and pursuant to Section 10(c) of the National Labor Relations Act, the National Labor Relations Board orders that the Respondent, United States Postal Service, Aiken, Greenville, Hilton Head, Hilton Head Island, Irmo, Lexington, North Charleston, Spartanburg, St. Matthews, Summerville, and West Columbia, South Carolina, its officers, agents, successors, and assigns shall:

1. Cease and desist from the following in connection with the Respondent's employees employed in the Respondent's South Carolina facilities as described above under the heading "Findings of Fact," paragraph 1.

(a) Refusing to bargain collectively and in good faith with the National Unions by failing to furnish, or by unduly delaying furnishing, information that is relevant and necessary to the Local Unions in performing their duties for the National Unions, the exclusive bargaining representative of the Unit.

(b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by the National Labor Relations Act.

2. Take the following affirmative action necessary to effectuate the policies of the Act:

(a) Upon request, furnish the Local Unions, or any other union with which the Respondent has an exclusive collective-bargaining relationship at its South Carolina facilities as described above under the heading "Findings of Fact," paragraph 1, with necessary and relevant information in a timely and appropriate manner.

(b) Waive, for 30 days following issuance of the Board's Order, any contractual deadlines for filing and pursuing grievances related to the requested information that the Local Unions missed due to the Respondent's delay in providing the information requested as described in the following paragraphs of each Complaint:

| <b>Complaint Date</b>                              | <b>Paragraphs</b> |
|--|-------------------|
| July 30, 2018                                      | 9                 |
| August 29, 2018                                    | 9 through 14      |
| January 15, 2019                                   | 9 through 16      |
| April 9, 2019                                      | 12 through 17     |
| May 21, 2019 (Amendment to Consolidated Complaint) | 12                |
| May 31, 2019                                       | 9, 12, 13, and 16 |

(c) Maintain a log at each of the Respondent's South Carolina facilities as described above under the heading "Findings of Fact," paragraph 1, in which the Respondent will immediately record each information request that the Local Unions, or any other union with which the Respondent has an exclusive collective-bargaining relationship at these facilities, tendered to the Respondent orally or in writing, at those facilities. These logs shall include the following information: a brief description of the information requested; the name of the individual who is making the request; the union and unit involved; the name of the manager or supervisor who received the request; the date the request was made; and the date that the Respondent's manager or supervisor provided the Local Unions or other such union with which the Respondent has an exclusive collective-bargaining relationship with the requested information. If the manager or supervisor, having reviewed the documents requested, believes that the Respondent will need additional time to furnish the information, the manager or supervisor will inform the Local Unions, or any other such union, in writing, requesting additional time and explaining the need for additional time. Union stewards will be granted reasonable access to the logs, upon request.

(d) Provide for each manager and supervisor who is designated to receive union requests for information at the Respondent's South Carolina facilities as described above under the heading "Findings of Fact," paragraph 1, annual training that encompasses how to maintain the log and how to tender the relevant information the Local Unions, or any other such union, requested; and require that each such manager and supervisor sign an acknowledgment form attesting to the fact that he or she has completed this training. A copy of this acknowledgement form shall be maintained in the manager's or supervisor's training and history files. Managers or supervisors who fail to supply relevant information, or who unreasonably delay in supplying such information to the Local Unions, or other such union, will have this fact mentioned in the "corrective action" column of the semi-annual audit report provided to the district manager and district manager of human resources. A repeated violation could lead to discipline of the manager or supervisor. The Respondent shall take disciplinary action, up to and including termination, for any managers or supervisors who repeatedly fail to respond appropriately or timely to union requests for information.

(e) Provide to union stewards of any union with which the Respondent has an exclusive collective-bargaining relationship at the Respondent's South Carolina facilities as described above under the heading "Findings of Fact," paragraph 1, the name of the manager or supervisor in each location who is designated to receive union requests for information at the facility and when that designated manager or supervisor has changed.

(f) Require the Respondent's legal or labor relations department to conduct semi-annual audits of the logs at the Respondent's South Carolina facilities as described above under the heading "Findings of Fact," paragraph 1, to ensure that the Local Unions' and other such unions' information requests are being handled in a timely and appropriate manner, and to ensure the logs are being properly maintained.

Following the audit, the legal or labor relations department shall tender a written report that will be forwarded to the district manager and district manager of human resources.

(g) Within 14 days of service by the Region:

(i) Post at the Respondent's South Carolina facilities as described above under the heading "Findings of Fact," paragraph 1, copies of the Notice to Employees that the Regional Director for Region 10 shall provide to the Respondent for posting. The Region will provide copies of the notices that the Respondent will be required to duplicate in color at its own expense, before posting. The duplicated copies, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted;

(ii) Electronically post the Notice to Employees for employees at the Respondent's South Carolina facilities as described above under the heading "Findings of Fact," paragraph 1, if the Respondent customarily uses electronic means such as an electronic bulletin board, e-mail, website, or intranet to communicate with those employees;

(iii) Send a copy of any Board Order and Notice to Employees to all its managers and supervisors at the Respondent's South Carolina facilities as described above under the heading "Findings of Fact," paragraph 1.

(h) Within the 60-day Notice posting period, hold a meeting or meetings, scheduled to ensure the widest possible attendance on each shift, at which a responsible management official will read the Notice to Employees for employees at the Respondent's South Carolina facilities as described above under the heading "Findings of Fact," paragraph 1, in front of a union official for each corresponding Local Union. The reading will take place at a time when the Respondent would customarily hold meetings and must be completed prior to the completion of the 60-day Notice posting period. The dates and times of the reading, and the management official who will read the notice, must be approved by the Regional Director. The announcement of the meeting will be in the same manner the Respondent normally announces meetings and must be approved by the Regional Director.

(i) Within 21 days after service by the Region, file with the Regional Director a signed and sworn Certificate of Compliance, Part 1 form certifying that it has complied with this Order. The certification shall include a copy of the documents signed by a responsible official attesting to the dates that the notices were received at each facility, the dates that the notices were posted, where the notices were posted, and date(s), time(s), and the management official who read the Notice to Employees; the certification shall also include the dates the Respondent sent the Board Order and Notice to its managers and supervisors, a list of the names and job titles of the individuals to whom the Respondent sent them, and the method the Respondent employed to send them.

(j) Upon request, provide to the Regional Director of Region 10 or his designee, copies of the logs described above in subparagraph (c); the acknowledgement forms, audit reports, and discipline described above in subparagraph (d); and the semi-annual audits and reports from the Respondent's legal or labor relations department described above in subparagraph (f).

Dated, Washington, D.C., December 5, 2019

---

Lauren McFerran, Member

---

Marvin E. Kaplan, Member

---

William J. Emanuel, Member

(SEAL)

**NATIONAL LABOR RELATIONS BOARD**

## APPENDIX

**NOTICE TO EMPLOYEES  
POSTED BY ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD  
An Agency of the United States Government**

**PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER  
AND A CONSENT JUDGMENT OF ANY APPROPRIATE  
UNITED STATES COURT OF APPEALS**

**FEDERAL LAW GIVES YOU THE RIGHT TO:**

Form, join, or assist a union;  
Choose a representative to bargain with us on your behalf;  
Act together with other employees for your benefit and protection;  
Choose not to engage in any of these protected activities.

**WE WILL NOT** interfere with, restrain, or coerce you in the exercise of the above rights.

**WE WILL NOT** fail to provide, or unreasonably delay in providing the following unions with information that they or their National Unions need to represent you:

- **National Postal Mail Handlers Union, AFL-CIO, Local 334**
- **National Association of Letter Carriers, AFL-CIO, Branch 628**
- **National Association of Letter Carriers, AFL-CIO, Branch 1569**
- **National Association of Letter Carriers, AFL-CIO, Branch 3902**
- **American Postal Workers Union, AFL-CIO, Local 566**
- **American Postal Workers Union, AFL-CIO, Local 807**
- **American Postal Workers Union, AFL-CIO, Local 7076**
- **Any union** with which we have an exclusive collective-bargaining relationship at the following South Carolina facilities:

| <b>Station Name</b>                           | <b>Street Address</b>    | <b>City/Town</b>   |
|---|--------------------------|--------------------|
| Aiken Main Post Office                        | 307 Laurens St. NW       | Aiken              |
| Greenville Processing and Distribution Center | 204 Fairforest Way       | Greenville         |
| Hilton Head Island Main Post Office           | 10 Bow Cir.              | Hilton Head        |
| Fairfield Station                             | 213 William Hilton Pkwy. | Hilton Head Island |
| Irmo Main Post Office                         | 7821 Saint Andrews Rd.   | Irmo               |
| Lexington Main Post Office                    | 1830 S. Lake Dr.         | Lexington          |
| Downtown Lexington Station                    | 710 W Main St.           | Lexington          |



|   |                       |                  |
|---|-----------------------|------------------|
| Cross Country Station                       | 7075 Cross County Rd. | North Charleston |
| Westside Branch                             | 520 W. Blackstock Rd. | Spartanburg      |
| St. Matthews Main Post Office               | 616 F R Huff Dr.      | St. Matthews     |
| Summerville Main Post Office                | 301 N. Gum St.        | Summerville      |
| Columbia Processing and Distribution Center | 2001 Dixiana Rd.      | West Columbia    |

**WE WILL NOT** in any like or related manner interfere with your rights under the National Labor Relations Act.

**WE HAVE** provided **National Postal Mail Handlers Union, AFL-CIO, Local 334** with the information it initially requested on:

- February 23, 2018, and
- May 16, 2018.

**WE HAVE** provided **National Association of Letter Carriers, AFL-CIO, Branch 628** with the information it initially requested on:

- May 21, 2018, and
- May 23, 2018.

**WE HAVE** provided **National Association of Letter Carriers, AFL-CIO, Branch 1569** with the information it initially requested on April 20, 2018.

**WE HAVE** provided **National Association of Letter Carriers, AFL-CIO, Branch 3902** with the information it initially requested on:

- August 22, 2018, and
- September 8, 2018.

**WE HAVE** provided **American Postal Workers Union, AFL-CIO, Local 566** with the information it initially requested on June 1, 2018.

**WE HAVE** provided **American Postal Workers Union, AFL-CIO, Local 807** with the information it initially requested on:

- August 27, 2018,
- September 18, 2018,
- October 11, 2018,
- September 26, 2018, and
- October 23, 2018.

**WE HAVE** provided **American Postal Workers Union, AFL-CIO, Local 7076** with the information it initially requested on January 29, 2019.

**WE WILL**, upon request, provide any union with which we have an exclusive collective-bargaining relationship with necessary and relevant information in a timely and appropriate manner.

**WE WILL** promptly provide **American Postal Workers Union, AFL-CIO, Local 807** with the information it requested on October 23, 2018.

**WE WILL** promptly provide **American Postal Workers Union, AFL-CIO, Local 7076** with the information it requested on July 30, 2018.

**WE WILL** waive for 30 days following issuance of the Board's Order, any contractual deadlines for filing and pursuing grievances related to the requested information that National Postal Mail Handlers Union, AFL-CIO, Local 334; National Association of Letter Carriers, AFL-CIO, Branch 628; National Association of Letter Carriers, AFL-CIO, Branch 1569; National Association of Letter Carriers, AFL-CIO, Branch 3902; American Postal Workers Union, AFL-CIO, Local 566; American Postal Workers Union, AFL-CIO, Local 807, and American Postal Workers Union, AFL-CIO, Local 7076 missed due to our delay in providing the information requested.

**WE WILL** maintain a log in which we will immediately record each information request that any union with which we have an exclusive collective-bargaining relationship makes, either orally or in writing, at the facilities mentioned above.

**WE WILL** provide union stewards with reasonable access to those logs that pertain to their requests.

**WE WILL** provide annual training for each manager and supervisor who is designated to receive requests for information at each of these facilities mentioned above. Such training will encompass how to maintain the log and how to tender the relevant information to any union with which we have an exclusive collective-bargaining relationship at each of these facilities mentioned above.

**WE WILL** provide to union stewards for any union the name of the manager or supervisor in each location who is designated to receive union requests for information at the facility and when that designated manager or supervisor has changed.

**WE WILL** require our legal or labor relations department to conduct semi-annual audits of the logs to ensure that the information requests of any union with which we have an exclusive collective-bargaining relationship are being handled in a timely and appropriate manner and to ensure the logs are being properly maintained.

## **UNITED STATES POSTAL SERVICE**

The Board's decision can be found at [www.nlr.gov/case/10-CA-216615](http://www.nlr.gov/case/10-CA-216615) or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive

Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

